

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No.: 2:21-cr-20264  
Honorable Denise Page Hood

D-1 YLLI DIDANI,

Defendant.

/

MARK BILKOVIC (P-48855)  
TIMOTHY MCDONALD (P-64562)  
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**MOTION TO WITHDRAW AS COUNSEL**

NOW COMES Camilla Barkovic, co-counsel for Defendant, YLLI DIDANI, and requests that this Court enter an order permitting her withdrawal as counsel in this matter for the following reasons:

1. Defendant presently stands charged pursuant to Count One of the Indictment, dated April 21, 2021, with Conspiracy to Distribute Controlled Substances in violation of 21 U.S.C. § 841(a)(1), § 846. (Doc. No. 1.)

2. No trial date has been scheduled in this matter as of the date hereof.

3. The undersigned became involved in the instant matter as a result of being contacted by current co-counsel for the Defendant - to wit, Barry Goldberg, Esq., and Brian Kaplan, Esq. - who are licensed to practice in the State of New York. Mr. Goldberg and Mr. Kaplan were retained to represent Defendant; however, neither of the aforementioned attorneys were admitted to practice in the Eastern District of Michigan.

4. Mr. Kaplan and Mr. Goldberg represented to the undersigned that they required local counsel to assist them in gaining admission to practice in the Eastern District of Michigan and to have local counsel assist in a limited capacity with the representation of Mr. Didani.

5. It was contemplated and agreed that Mr. Goldberg and Mr. Kaplan would assume primary responsibility for the representation of the Defendant in this matter and that the undersigned would act in a limited capacity as local "advisory" counsel. The undersigned agreed to assist with representation in this matter on these terms. The fee charged by the undersigned was based on the undersigned acting in a limited "advisory" capacity as local counsel.

6. Mr. Kaplan and Mr. Goldberg have effectively declined to meaningfully participate in the representation of Defendant and the responsibility for representation of Defendant in this time-intensive case has effectively been delegated to the undersigned. The undersigned did not contemplate assuming full responsibility for the representation of Defendant in this matter, nor did the undersigned agree to same.

7. The undersigned has attempted to contact Mr. Kaplan and Mr. Goldberg on numerous occasions to discuss the status of this case, the lack of effective communication

and the lack of meaningful participation in representation, and to discuss several matters of concern relating to the effective and adequate representation of Mr. Didani. The undersigned's contacts, requests, and concerns have seemingly been disregarded by primary counsel.

8. The undersigned has met with the Defendant on numerous occasions throughout the course of representation. The undersigned has explained her limited role in Defendant's representation to Defendant and has discussed the present status of the instant matter with the Defendant. Counsel has also informed the Defendant that she has not been compensated to take any actions beyond those which she originally agreed to.

9. The undersigned cannot reasonably be expected to continue to represent the Defendant under the instant circumstances. Good cause exists to permit defense counsel to withdraw from representation in this matter. Withdrawal is permissible and warranted under the circumstances. See Mich. R. Prof. Cond. 1.16.

10. Defense counsel has advised the Government of the relief sought herein and the Government has indicated, by and through AUSA Timothy McDonald, that it does not object to the requested relief.

WHEREFORE, the undersigned defense counsel requests that this Court enter an Order permitting her to withdraw from representation in this cause.

/s/ Camilla Barkovic  
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Dated: November 10, 2021

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**BRIEF IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL**

**INTRODUCTION**

The undersigned defense counsel submits the instant brief in support of defense counsel's Motion to Withdraw as Counsel. For the reasons set forth in the annexed Motion, defense counsel requests that this Court permit her to withdraw from representation in this matter.

### **ISSUE PRESENTED**

The issue presented for resolution by this Court is whether defense counsel should be permitted to withdraw from representation in this cause based on the circumstances described in the annexed motion.

### **APPLICABLE LAW AND ARGUMENT**

Pursuant to LR 83.20, the Michigan Rules of Professional Conduct apply to attorneys practicing in the United States District Court for the Eastern District of Michigan. The Michigan Rules of Professional Conduct provide that withdrawal of counsel is permissible under a number of circumstances, including if:

- (1) the client persists in a course of action involving the lawyer's services that the lawyer reasonably believes is criminal or fraudulent;
- (2) the client has used the lawyer's services to perpetrate a crime or fraud;
- (3) the client insists upon pursuing an objective that the lawyer considers repugnant or imprudent;
- (4) the client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled;
- (5) the representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; or
- (6) other good cause for withdrawal exists.

See Mich. R. Prof. Cond. 1.16(b). Pursuant to LR 83.25(2), an attorney may withdraw or be substituted for only on order of the court.

The undersigned has filed the annexed Motion to Withdraw as Counsel and has set

forth the facts and circumstances underlying the instant request in said motion. Good cause exists to permit defense counsel to withdraw from representation in this matter and withdrawal is permissible and warranted under the circumstances. See Mich. R. Prof. Cond. 1.16. Accordingly, the undersigned requests that this Court enter an Order permitting her to withdraw from representation in this cause.

/s/ Camilla Barkovic

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586/773-2120

Dated: November 10, 2021

**CERTIFICATE OF SERVICE**

I hereby certify that on November 10, 2021, I electronically filed the foregoing documents with the Clerk of the Court using the ECF system, which will send notification of such filing to the following individual(s): AUSA Mark Bilkovic and AUSA Timothy McDonald.

*/s/ Camilla Barkovic*  
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